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Attorneys for Defendant APPLE INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
(SAN JOSE DIVISION)

GPNE, CORP.

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 5:12-cv-02885-LHK

**APPLE'S ADMINISTRATIVE MOTION  
TO FILE UNDER SEAL**

Date: April 3, 2014  
Time: 1:30 p.m.  
Place: Courtroom 8, 4<sup>th</sup> Floor  
Judge: Hon. Lucy H. Koh

**APPLE'S ADMINISTRATIVE MOTION TO FILE UNDER SEAL**

Pursuant to Civil Local Rule 79-5, General Order No. 62, and the Court's Civil Standing Order Regarding Motions to File Under Seal, Defendant Apple Inc. hereby moves the Court for permission to file under seal Exhibits A, C, D, E, G, H, and I to the Declaration of Benjamin C. Elacqua in Support of Apple Inc.'s *Daubert* Motion to Exclude Testimony of Michael J. Dansky. Apple also hereby moves the Court for permission to redact portions of Apple's *Daubert* Motion to Exclude Testimony of Michael J. Dansky, filed herewith as Exhibit 1 to the Declaration of Jacqueline Tio in Support of Apple's Administrative Motion to File Under Seal ("Tio Declaration").

The entirety of Exhibits A and D to the Elacqua Declaration contains material designated by Plaintiff GPNE Corp. ("GPNE") and Apple as "Confidential – Attorneys' Eyes Only" under the Protective Order (Dkt. No. 86).

The entirety of Exhibit C to the Elacqua Declaration contains material designated by GPNE and respective third parties as "Confidential – Attorneys' Eyes Only" under the Protective Order (Dkt. No. 86).

The entirety of Exhibits G and H to the Elacqua Declaration contains material designated by Apple as "Confidential – Attorneys' Eyes Only" under the Protective Order.

The entirety of Exhibit E to the Elacqua Declaration contains material designated by Apple and by third party Intel Corporation as "Confidential – Attorneys' Eyes Only" under the Protective Order.

The entirety of Exhibit I to the Elacqua Declaration contains material designated by GPNE and respective third parties as "Confidential – Attorneys' Eyes Only" under the Protective Order.

Portions of Apple's *Daubert* Motion refer to and contain materials designated by Apple or GPNE, consistent with the parties' requested sealing of Exhibits A, C, D, E, G, H, and I.

1 Apple's request is narrowly tailored to seal only information that is designated by Apple or  
2 GPNE as confidential. For the foregoing reasons, Apple respectfully requests that the Court grant  
3 Apple's request to file the above documents under seal.

4  
5  
6 Dated: February 27, 2014

FISH & RICHARDSON P.C.

7 By: /s/ Jacqueline Tio  
8 Jacqueline Tio

9 Attorneys for Defendant  
10 APPLE INC.

11  
12 **CERTIFICATE OF SERVICE**

13 The undersigned hereby certifies that on February 27, 2014, all counsel of record who are  
14 deemed to have consented to electronic service are being served with a copy of **APPLE'S**  
15 **ADMINISTRATIVE MOTION TO FILE UNDER SEAL** via the Court's CM/ECF system.

16  
17  
18 By: /s/ Jacqueline Tio  
19 Jacqueline Tio